

REMARKS

After entry of this amendment, claims 1-19 will be pending, with claims 1-3, 8, 10, 11 and 13 amended and claims 14-19 added. The claims have been amended to more clearly define the invention. New claims 14-19 have been added to draw forth other features of the invention in more detail. Support for the new claims is found through out the specification and no new matter has been added.

The foregoing amendments are taken in the interest of expediting prosecution and there is no intention of surrendering any range of equivalents to which Applicant would otherwise be entitled in view of the prior art.

By amending the application, the Applicant does not concede that the patent coverage available to them would not extend as far as the original claim. Rather, Applicant reserves the right to file a continuation application to pursue the breadth of the claims as filed. Applicant believes that the Examiner has not made a sufficient showing of inherency of the teachings of the asserted prior art, especially given the lack of teachings in the cited references of the properties that Applicant has recited in their claims.

Further, by the present amendment, it does not follow that the amended claims have become so perfect in their description that no one could devise an equivalent. After amendment, as before, limitations in the ability to describe the present invention in language in the patent claims naturally prevent the Applicant from capturing every nuance of the invention or describing with complete precision the range of its novelty or every possible equivalent. See, Festo Corp. v. Shoketsu Kinzoku Kogyo Kabushiki Co., 62 USPQ2d 1705 (2002). Accordingly, the foregoing amendments are made specifically in the interest of expediting prosecution and there is no intention of surrendering any range of equivalents to which Applicant would otherwise be entitled.

Objections to the Drawings

The Examiner objected to the drawings as not depicting each feature of the claims. The Applicant has amended the claims to remove some of the objectionable limitations. Further, Applicant has amended FIG. 2 to schematically depict a sensor at

reference numeral 35. A corresponding amendment to the specification has also been made. With regarding to the timer, Applicant believe that a skilled artisan would understand that the timer could be shown on the display 40 as seen in FIG. 1. Applicant respectfully requests that these objections be withdrawn.

Rejection under 35 U.S.C. §102(b)

The Examiner rejected claims 1-5, 8-10, 12 and 13 under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 5,060,479 to Carmi et al. ("Carmi"). This rejection is traversed in view of the current amendments.

In particular, Carmi does not disclose the use of a Peltier device that contacts the bottom of the cook vessel, as presently claimed. On the contrary, Carmi discloses only a Peltier that contacts the side of the container.

Further, Carmi does not disclose the use of a removable lid for the cook vessel. Carmi is directed to heating and cooling prepackaged containers of food or beverages, whereas the present invention is directed toward an appliance for cooking ingredients, and slow cooking in particular.

In addition, with regard to claim 3, Carmi does not disclose the use of a thermal conductive material that has a concave shape matched to a convex portion of the cook vessel. Rather, the opposite is true; Carmi only discloses the use of a material with a convex shape.

Moreover, with regard to claim 10, Carmi does not disclose cooking of ingredients; rather Carmi discloses only the heating or cooling of prepackaged containers. Likewise, with regard to claim 13, Carmi does not disclosing using a refrigeration step before a cooking step.

With regard to new claims 14 and 19, Carmi does not disclose the use of a liquid thermal medium to the Peltier device. Nor does Carmi disclose the use of a refrigerating step after the cooking step (claim 15), a plurality of Peltier device in contact with the side wall of the cook vessel in combination with the Peltier underneath the Peltier (claim 16), the use of a latch or a hinge for a removable lid (claim 17), the use of a remote interface for the appliance (claim 18).

For at least these reasons, Applicant respectfully requests that this rejection be withdrawn.

Rejection under §35 U.S.C. 103(a)

The Examiner rejected claims 6-8 and 11 under 35 U.S.C. §103(a) as obvious over Carmi in view of U.S. Patent No. 6, 244,165 to Trombley et al. ("Trombley"). This rejection is traversed in view of the current amendments.

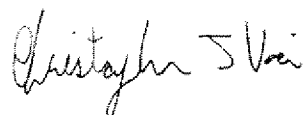
Trombley does not fill in the gaps of Carmi identified above. In particular, Trombley does not teach or suggest any particular placement of the Peltier device relative to the cook vessel, the use of a removable lid for the cook vessel, a latch and/or hinge for the lid, the use of a concave thermal material to improve the contact between the Peltier and the cook vessel, the use of a plumbed waste side distribution system nor the use of a liquid thermal transfer medium. Thus, the combination of Carmi and Trombley does not teach or suggest each feature of the present claims. For at least these reasons, Applicant respectfully requests that this rejection be withdrawn.

CONCLUSIONS

In view of Applicants' amendments and remarks, the Examiner's rejections are believed to be rendered moot. Accordingly, Applicants submit that the present application is in condition for allowance and requests that the Examiner pass the case to issue at the earliest convenience. Should the Examiner have any question or wish to further discuss this application, Applicant requests that the Examiner contact the undersigned at (319) 594-2200.

If for some reason Applicants have not requested a sufficient extension and/or have not paid a sufficient fee for this response and/or for the extension necessary to prevent the abandonment of this application, please consider this as a request for an extension for the required time period and/or authorization to charge Deposit Account No. 50-1097 for any fee which may be due.

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